

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated February 20, 2009 has been received and its contents carefully reviewed.

Applicant hereby amends claim 1, 7, 10 and 24. Claims 3 and 21-22 have previously been canceled, and claims 9 and 12-20 have previously been withdrawn. Accordingly, claims 1-2, 4-8, 10-11 and 23-24 are pending for examination in this application.

In the Office Action, claims 1, 2, 4-8, 10-11, and 23-24 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,748,266 to Kodate (hereinafter "Kodate") in view of U.S. Patent No. 6,862,050 to Rho et al. (hereinafter "Rho"), U.S. Patent No. 5,926,235 to Han et al. (hereinafter "Han") and Applicant's admitted related art (hereinafter "ARA").

With regard to claim 1, as amended, Applicants respectfully submit that none of cited references teaches or suggests the whole technical feature of claim 1. A claimed combination comprising at least features of "a storage capacitor including a capacitance electrode directly under the gate insulating layer, a semiconductor pattern directly on the gate insulating layer and an auxiliary capacitance electrode directly on the semiconductor layer and directly under the passivation layer, wherein the semiconductor layer and the auxiliary capacitance electrode overlap the capacitance electrode, and an end of the pixel electrode contacts a side surface of the auxiliary capacitance electrode" and "wherein an area of the overlapped portion of the auxiliary capacitance electrode is the same as an area of the capacitance electrode" is not disclosed by the cited references.

The Office Action admits Kodate does not disclose a storage capacitor structure in claim 1. Then, the Office Action appears to allege that Han discloses the features of “a storage capacitor including a capacitance electrode directly under the gate insulating layer, a semiconductor pattern directly on the gate insulating layer and an auxiliary capacitance electrode directly on the semiconductor layer and directly under the passivation layer, wherein the semiconductor layer and the auxiliary capacitance electrode overlap the capacitance electrode, and an end of the pixel electrode contacts a side surface of the auxiliary capacitance electrode” in claim 1. However, in figure 5I of Han, the pixel electrode (104) does not contact a side surface of the auxiliary capacitance electrode (130)

In addition, for example, in figure 5I of Han, the auxiliary capacitance electrode (130) partially overlaps the capacitance electrode (117). Namely, an area of the auxiliary capacitance electrode (130) is different from an area of the capacitance electrode (117). Accordingly, Han fails to disclose the feature of wherein an area of the overlapped portion of the auxiliary capacitance electrode is same as an area of the capacitance electrode” in claim 1.

None of other cited references remedy the deficiencies. Accordingly, Applicant respectfully submits claim 1 and claims 2 and 4-6, which are dependent from claim 1, are allowable over the cited references.

For similar reasons set forth above, Applicants respectfully submit none of the cited reference discloses the above features of amended independent claims 7, 10 and 24. In addition, claim 8, which is dependent from claim 7, and claims 11 and 23, which is dependent from claim 10, are allowable over the cited references.

Applicants believe the foregoing amendments and discussion place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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